

Serial No. 09/870321

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Volker Lehmann	Examiner:	Brian R. Gordon
Serial No.:	09/870321	Group Art Unit:	1743
Filed:	May 30, 2001	Docket No.:	03035.0001-US-W1
Title:	METHOD AND ARRANGEMENT FOR TAKING UP A FIRST MEDIUM, WHICH IS PRESENT IN A FIRST PHASE, INTO A CAPILLARY DEVICE		

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**Amendment After Receipt of Notice of Allowance Under 37 C.F.R. §1.312**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

OK TO ENTER: /B.G./

10/12/2008

Dear Sir:

This amendment is submitted after Notice of Allowance under 37 C.F.R. §1.312.

Applicant respectfully requests consideration of the following amendment.

Amendments to the specification: None.

Amendments to the claims begin on page 2. Applicant is amending claim 53 to correct the dependency.

Remarks: Begin on page 5.

## IN THE CLAIMS

Please amend the claims as follows:

### Claims 1-50 (Canceled)

51. (Previously presented) A method for taking up a medium to be analysed, the method comprising:

providing a pipette for taking up the medium to be analysed, the pipette having a diaphragm containing at least one pore of a given radius;

determining a critical pressure at which the surface tension of a liquid present at the at least one pore of said diaphragm would be overcome;

providing a pump that produces a negative pressure in the pipette to take up the medium to be analysed;

providing a pump controller that controls the pump so that the negative pressure does not go below the critical pressure; and

using the pump controller to control the pump to take up the medium to be analysed.

52. (Canceled)

53. (Currently amended) The method of claim [[52]] 51, wherein determining a critical pressure comprises determining the critical pressure using:

$$P = 2 \cdot S / r$$

where S denotes the surface tension of the liquid present at the at least one pore, and r denotes the given radius of the at least one pore.

54. (Previously presented) The method of claim 51, further comprising providing the medium to be analysed.

55. (Previously presented) The method of claim 54, wherein providing the medium to be analysed comprises providing the liquid.

56. (Previously presented) The method of claim 54, wherein providing the medium to be analysed comprises providing a gas.

57. (Previously presented) The method of claim 51, wherein providing a pipette comprises providing a pipette having a diaphragm that is hydrophilic.

58. (Previously presented) The method of claim 51, wherein providing a pipette comprises providing a pipette having a diaphragm that is hydrophobic.

59. (Previously presented) A method for taking up a first medium to be analysed, the method comprising:

providing a pipette for taking up the first medium, the pipette having a diaphragm containing at least one pore of a given radius;

providing a pump that is capable of producing a negative pressure in the pipette;

providing a pump controller that controls the pressure produced by the pump;

providing the first medium and a second medium in a container, such that a boundary between the first medium and the second medium comprises a surface having a surface tension;

determining a critical pressure at which the surface tension would be overcome;

dipping the pipette into the first medium; and

using the pump controller to control the negative pressure produced by the pump such that the negative pressure does not go below the critical pressure, so that the first medium is fully taken up and taking up of the second medium is prevented.

60. (Canceled)

61. (Previously presented) The method of claim 59, wherein determining a critical pressure comprises determining the critical pressure using:

$$P = 2 \cdot S / r$$

where S denotes the surface tension, and r denotes the given radius of the at least one pore.

62. (Previously presented) The method of claim 59, wherein the first medium comprises a liquid and the second medium comprises a gas.

63. (Previously presented) The method of claim 59, wherein the first medium comprises a gas and the second medium comprises a liquid.

64. (Previously presented) The method of claim 59, wherein providing a pipette comprises providing a pipette having a diaphragm that is hydrophilic.

65. (Previously presented) The method of claim 59, wherein providing a pipette comprises providing a pipette having a diaphragm that is hydrophobic.

REMARKS

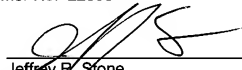
It is believed that the above amendment does not add new material to the application and, further, corrects only non substantive errors in the application. Accordingly, Applicant respectfully requests the acceptance of the amendment, inclusion of the amendment in the issued patent and prompt notification of same.

Respectfully submitted,

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Date: October 7, 2008

By: \_\_\_\_\_

  
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